

forward with the amendment at this time.

Mrs. FEINSTEIN. Mr. President, I thank the Democratic whip for his concern and his words.

I want to correct a couple of things. The Senator from Missouri pointed out that catalytic converters are fire hazards. That may be true with some. But virtually every automobile, every pickup truck, every sport utility vehicle driving on the roads and highways of California today is equipped with a catalytic converter. It has been that way for a substantial period of time. Catalytic converters are nothing new.

Secondly, I want you to know that Honda has said that they would increase their U.S. production of these engines even with the California regulation. So, in other words, there are other companies manufacturing these engines in the United States that have said they would adhere to these new regulations and produce cleaner engines.

Thirdly, I want you to know that Briggs & Stratton has already moved some of its operations to China. I very much doubt that this California regulation has much to do with it. I am told they have been manufacturing in China since 1986, and in April of this year they increased their ownership share of two factories in China from 52 percent to a controlling 90 percent. I am also told that California regulators have incorporated Briggs & Stratton's own recommendations into its final rule issued in September. The Air Resources Board relaxed the regulation's exhaust emissions standard, relying instead on controlling evaporative emissions, as recommended by Briggs & Stratton.

So I don't know why this is being done. But I will tell you one thing: everybody who votes to sustain this will be also voting to put 70 more tons of smog into California's skies in 2010. That is how important this issue is to our State.

I yield the floor.

Mr. REID. Mr. President, it is my understanding that the Senator is going to withdraw the amendment.

Mrs. FEINSTEIN. I did not send it to the desk.

The PRESIDING OFFICER. The Senate is in morning business at this time.

Mr. REID. Could the bill be reported?

Mr. BOND. Mr. President, I ask that we go to the bill.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004—Resumed

The PRESIDING OFFICER. The clerk will state the bill.

The legislative clerk read as follows:

A bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

Bond/Mikulski amendment No. 2150, in the nature of a substitute.

Clinton amendment No. 2152 (to amend amendment No. 2150), to permit the use of funds for the Capital Asset Realignment for Enhanced Services (CARES) initiative of the Department of Veterans Affairs for purposes of enhanced services while limiting the use of funds for the initiative for purposes of the closure or reduction of services pending a modification of the initiative to take into account long-term care, domiciliary care, and mental health services and other matters.

Mr. REID. Mr. President, I ask unanimous consent that the only amendments in order on this bill be the Dayton amendment on the Wellstone Center; Durbin amendment on senior discount; Jeffords amendment on new source review study; Bingaman sense-of-the-Senate amendment on DOD smallpox vaccine; Schumer, EPA clean air amendment; Feingold, VA health care fairs/outreach; Reid-Graham, Iraq prisoners; Daschle, Agent Orange; and the managers' amendments that are approved by Senators MIKULSKI and BOND.

Mr. BOND. Mr. President, I have no objection on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, I appreciate the actions taken by the distinguished minority whip, the Senator from Nevada, and also the agreement by the Senator from California to withdraw her amendment.

All I can say about it is, No. 1, we had an agreement, we thought, with the floor staff when we debated this last week—requested by the minority floor staff—that there not be a vote because they did not want a vote. Our condition was we needed to move on to other things. We would have a brief time schedule. As you can see, there is no way that we can restart, in the 45 minutes we have left, this entire debate.

I will state that I categorically disagree with the views reached by the Senator from California. If we are successful in including the measure in the final VA-HUD amendment, all these issues will be resolved by the EPA.

Mr. President, we had an oversight. Senator MCCAIN has an amendment that he was promised the other day. I ask the minority leader if he would agree to adding that since we told Senator MCCAIN he could bring his amendment up.

Mr. REID. Yes, I agree that he should be able to do so.

I ask unanimous consent that the McCain amendment be added to the list.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, we are open for business. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2194 TO AMENDMENT NO. 2150

Mr. BOND. Mr. President, I send an amendment to the desk on behalf of Senator REID of Nevada and Senator GRAHAM of Florida, and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for Mr. REID, for himself, and Mr. GRAHAM of Florida, proposes an amendment numbered 2194 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress on damages caused by the regime of Saddam Hussein during the First Gulf War)

On page 125, between lines 7 and 8, insert the following new section:

SEC. 418. (a) Congress makes the following findings:

(1) During Operation Desert Shield and Operation Desert Storm (in this section, collectively referred to as the "First Gulf War"), the regime of Saddam Hussein committed grave human rights abuses and acts of terrorism against the people of Iraq and citizens of the United States.

(2) United States citizens who were taken prisoner by the regime of Saddam Hussein during the First Gulf War were brutally tortured and forced to endure severe physical trauma and emotional abuse.

(3) The regime of Saddam Hussein used civilian citizens of the United States who were working in the Persian Gulf region before and during the First Gulf War as so-called human shields, threatening the personal safety and emotional well-being of such civilians.

(4) Congress has recognized and authorized the right of United States citizens, including prisoners of war, to hold terrorist states, such as Iraq during the regime of Saddam Hussein, liable for injuries caused by such states.

(5) The United States district courts are authorized to adjudicate cases brought by individuals injured by terrorist states.

(b) It is the sense of Congress that—

(1) notwithstanding section 1503 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 579) and any other provision of law, a citizen of the United States who was a prisoner of war or who was used by the regime of Saddam Hussein and by Iraq as a so-called human shield during the First Gulf War should have the opportunity to have any claim for damages caused by the regime of Saddam Hussein and by Iraq incurred by such citizen fully adjudicated in the appropriate United States district court;

(2) any judgment for such damages awarded to such citizen, or the family of such citizen, should be fully enforced; and

(3) the Attorney General should enter into negotiations with each such citizen, or the family of each such citizen, to develop a fair and reasonable method of providing compensation for the damages each such citizen

incurred, including using assets of the regime of Saddam Hussein held by the Government of the United States or any other appropriate sources to provide such compensation.

Mr. REID. Mr. President, I rise on behalf of myself and Senator GRAHAM of Florida, and on behalf of 17 brave Americans who were taken hostage and tortured by Saddam Hussein during the first Gulf War.

I have already spoken in this Chamber about the horrible treatment these Americans endured. Saddam's evil henchmen violated international law in the treatment of these war prisoners, and they violated every law of human decency.

After the war, these prisoners sought justice against Saddam. They did it not only because he had tortured them in violation of the law, but also to send a message that would protect other Americans in the future. And Congress supported their effort. In 1996, Congress amended the Foreign Sovereign Immunities Act so their case would be able to proceed.

They won their case in court on its merits because they had the truth and the law on their side. But now they are in danger of losing the judgment they legally obtained because they do not have the United States Government on their side.

The Justice Department intervened to prevent them from collecting their judgment from seized Iraqi assets. And when this Senate responded by passing this very same amendment a few weeks ago, the State Department intervened by seeking to strike the amendment from the special Iraq-Afghanistan appropriations bill.

In a letter dated October 27, Deputy Secretary of State Armitage wrote these words:

Under the President's May 7, 2003 Determination . . . any provision of law that applies to countries that have supported terrorism was made inapplicable to Iraq.

This is the country we invaded as part of our war on terrorism . . . yet the President has said that Iraq will not be treated as a nation that supported terrorists.

I think that is wrong, and my amendment, which is exactly the same as the one the Senate earlier approved, makes perfectly clear the longstanding intent of Congress that terrorists who torture U.S. citizens must be held accountable.

Saddam Hussein was a tyrant who committed horrible atrocities against his own people and against Americans. In fact, many believe that he is behind the continuing attacks on our American soldiers. It is beyond my comprehension why these Federal bureaucrats are now siding with Saddam Hussein and against these former prisoners of war who suffered at his hands.

These brave heroes are merely seeking to hold Iraq accountable for its crimes, and deter the torture of any American citizen by a terrorist state in the future. A civilized world cannot let such crimes go unpunished. The perpetrators must be held to account.

I urge adoption of this amendment.

Mr. GRAHAM of Florida. Mr. President, I join Senator REID today in offering an amendment that would allow a group of 17 prisoners of war from the first war in Iraq and their families, to collect the damages that have been awarded to them in a court of law, that are being blocked by the Bush administration.

Historically, foreign nations and their diplomats have been protected from lawsuits in the United States, for their actions. However, that historical protection has been limited in certain instances. In 1996, Congress amended the Foreign Sovereign Immunities Act to allow American citizens and families of American citizens to sue nations that have been found to be "terrorist states," for acts of terrorism such as torture or taking of hostages. Congress went on to enact the Terrorism Risk Insurance Act of 2002, which included a provision to allow frozen assets of terrorist states in U.S. banks to be used to pay court-awarded damages.

Relying upon this legal framework, 17 of 21 prisoners of war of the 1991 Persian Gulf War and 37 members of their immediate families filed suit against Iraq. I won't describe the horrific experiences of every one of these brave men or the unimaginable distress of their families. But I do want to tell you about the experience of three of these POWs: LTC Michael Robert; LTC Russell Sanborn; and LTC Craig Berryman, three service members from Florida. It is important for the Senate and the American people to understand what they suffered while they were held in captivity.

These soldiers endured horrendous treatment and are fortunate just to have survived. LTC H. Michael Roberts was shot down while flying over Iraq on January 19, 1991. He was able to eject but was immediately captured when he landed. In captivity, he suffered repeated beatings—his captors cut his head from repeated blows from their rifle butts and he was shocked with an electronic prod.

LTC Russell Sanborn's plane was shot down on February 9, 1991, and he was taken prisoner by a group of Iraqi soldiers. He was brutally beaten and suffered severe malnutrition. He lost 14 pounds in 26 days. Upon his release, Russell was diagnosed with parasitic anomalies and hearing loss.

LTC Craig Berryman's aircraft was shot down on January 28, 1991. In captivity he survived numerous beatings and torture. As a result of his abuse in Iraq, Craig has continued to experience health problems.

After having to relive these horrors in court, on July 7, 2003, a judgment was rendered in their favor and they were awarded compensatory and punitive damages. The problem is that when they went to collect their damages against the frozen Iraqi assets held in U.S. banks, the money was no longer there. That is because on March 20, 2003, immediately after start of

military action against Iraq, President Bush issued an executive order confiscating Iraq's frozen assets in the United States and placing them in the Iraq Development Fund for use in its reconstruction.

The Bush administration has done every thing in its power to undermine the integrity of this judicial process and to protect the interests of Iraq over the interests of American former prisoners of war. On May 22, 2003, the President issued another executive order which prohibits any judicial action that would seek funds from the Development Fund for Iraq, or other Iraqi national assets. The Bush administration went on to interpret the language in the 2003 emergency war supplemental intended to remove restrictions to providing foreign assistance to Iraq as a bar attachment of Iraqi foreign asset.

When repeatedly asked about why the administration is standing in the way of these veterans being paid their court-awarded damages, the White House spokesman, never answered the question, but reiterated, three times, that "there is no amount of money that can truly compensate these brave men and women for the suffering they went through at the hands of Saddam Hussein." If the Bush White House has their way, there will, in fact be no amount of money to compensate these brave men and women despite having proven their case in a court of law.

Earlier this month, Congress approved President Bush's \$87 billion supplemental appropriation request for the occupation and rebuilding of Iraq. At that time, I raised some significant questions as to our national priorities. We are facing mounting national debt. While our roads, bridges, schools, water and sewer lines, and electric grids are deteriorating, we will be sending billions of dollars to rebuild Iraq.

This is another one of those questions. We are sending money to rebuild Iraq, but we are turning our back on a judicial decision that was achieved under laws this body created. We are turning our backs on the torture inflicted upon these 17 veterans who were taken as prisoners of war while serving our country.

Mr. President, the costs of war do not end at the borders of Iraq; veterans will continue to pay them for years to come. I urge my colleagues to join us in this effort to see this injustice is rectified. I thank Senator REID for his leadership on this issue.

Mr. BOND. Mr. President, we are willing to accept the amendment on this side.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, again this is an amendment that was offered and adopted earlier. It deals with Americans who were held prisoner of war in the first gulf war. This is legislation that is directly in keeping with the sense of the last amendment that was

adopted. Senator GRAHAM feels strongly about this issue, as do I. I ask that the Senate approve the amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to amendment No. 2194.

The amendment (No. 2194) was agreed to.

Mr. REID. I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I ask unanimous consent that I be permitted to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. McCONNELL are printed in today's RECORD under "Morning Business.")

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, are we on the VA-HUD appropriations bill?

The PRESIDING OFFICER. We are.

Mr. DURBIN. It is my understanding that at 4:30 we are going to move to the FAA reauthorization bill. Understanding that deadline faces us, with the approval of the chairman of the subcommittee—I hope to have his attention before I make this request—if I might ask the Senator from Missouri, would it be acceptable for me to divide the time between now and 4:30 so that I would use 15 minutes and then yield to Senator DAYTON for 15 minutes, who also has an amendment to offer? That way, we would reach the 4:30 deadline by dividing the time equally. If that meets with the approval of the chairman of the subcommittee, I would like to make a unanimous consent request along those lines.

Mr. BOND. Mr. President, to respond to my good friend, No. 1, we are ready to accept his amendment. If we could have some more time to handle other business, I would like to. If, perhaps, the Senator—each Senator could take 5 minutes or 10 minutes?

Mr. DURBIN. Let me thank the chairman for accepting my amendment. I will take 5 minutes and that is all. I would like to give 15 minutes, if

it is acceptable, to Senator DAYTON to offer his amendment, and then I think that leaves you a balance of 10 minutes before 4:30.

Let me say I accept the offer of the Senator from Missouri. I will speak for 5 minutes.

Mr. BOND. I thank the Chair.

AMENDMENT NO. 2195

Mr. DURBIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, the pending amendment is set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself Ms. SNOWE, Mr. JEFFORDS, Mrs. BOXER, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN, proposes an amendment numbered 2195.

Mr. DURBIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place insert the following:

None of the funds provided in this Act may be expended to apply, in a numerical estimate of the benefits of an agency action prepared pursuant to Executive Order 12866 or section 812 of the Clean Air Act, monetary values for adult premature mortality that differ based on the age of the adult.

Mr. DURBIN. Mr. President, I ask the following Senators be added as cosponsors of this amendment: Senators SNOWE, JEFFORDS, BOXER, LAUTENBERG, CANTWELL, and LIEBERMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. In 5 minutes, I will try to describe very briefly what this amendment does.

This amendment will stop the Environmental Protection Agency and other agencies funded in this bill from using the discriminatory method known as the senior death discount. Right now, heart disease, cancer, and strokes are the leading causes of death of people over 65. According to CDC, air pollution can be particularly devastating to the health of seniors.

The EPA should be creating regulations to protect everybody. However, now we are in the cost-benefit era, and that means each regulation has to be costed out. In other words, we must determine the burden regulations have on the private sector of our economy, including what will it cost them. We must also determine the benefit regulations have for all Americans.

In order to reach the proper evaluation of any regulation, you have to determine the cost of the harm that is being done. That is why this amendment is being offered.

Right now, the EPA is discounting the lives of senior citizens. You may have seen this ad in magazines and newspapers showing this forlorn senior. This lady has been told that since she is over the age of 70, she is only worth 63 percent of any other person, say someone age 69. You can understand

her sadness, and a sadness that might be shared, incidentally, by some 19 Senators who are 70 years old or older. Try to tell these Senators they are worth only two-thirds of those younger, and you are in for a fight—and rightly so. Their lives are as important to them and to our Nation as anyone else's life.

We need to try to establish the cost to America in honest terms, to determine, for example, the real cost of the regulation relating to heavy diesel equipment, and not say senior citizens are worth less today than others.

I ask unanimous consent that a letter in support of my amendment from the AARP be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AARP,

Washington, DC, November 14, 2003.

Hon. RICHARD J. DURBIN,
Senate Dirksen Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR DURBIN: AARP commends you for your efforts to amend H.R. 2861, the Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations bill for Fiscal Year 2004, to prohibit the use of funds to "apply numerical values for adult premature mortality that differ based on the age of the adult in a numerical estimate of the costs and benefits of an agency action. . . ." We urge that you continue your efforts as the bill is folded into an omnibus appropriations measure.

AARP submitted comments in May to the Office of Management and Budget in response to its Draft 2003 Report to Congress on the Costs and Benefits of Federal Regulations. In them, we expressed our deep concerns regarding the arbitrary 37 percent discount to the life value of adults aged 70 and over incorporated by the Environmental Protection Agency in its cost-benefit analysis of the Administration's Clear Skies Initiative. We noted that the discount lacked a sound scientific basis, and we voiced concerns regarding its ultimate impact not only on older persons, but on the rest of the population as well.

OMB's Office of Information and Regulatory Affairs subsequently called upon EPA to discontinue use of the age adjustment factor cited above, and advised other federal agency analysts that they should not use it either. At the same time, the agency appeared to encourage other methodologies that might assign monetary values for adult premature mortality that differ based on the age of the adult. Application of age-related analytical methodologies or others involving population subgroupings—particularly when monetary assessments are assigned to life value—hold great risks. We are concerned that there may be insufficient science to justify such action.

Again, AARP strongly supports your efforts as well as those of Representative Thomas Allen, to ensure that the lives of older people not be devalued, and that needed protections not be shortchanged by the application of biased analytical approaches. We urge your colleagues in conference to do the same.

Should you have any questions, please contact me or have your staff contact Jo Reed or Tim Gearan in our Federal Affairs office at 202-434-3800.

Sincerely,

MICHAEL NAYLOR,
Director of Advocacy.

Mr. DURBIN. What we see, and I will summarize, is an effort by some to discount the lives of senior citizens in America when judging the impact of public health regulations. That has to come to an end. We have to make certain the policy we follow in this country, the policy that is being articulated by John Graham, the head of the OMB regulatory office, is one that counts senior citizens the same as any other citizen.

Some of the statements made by Mr. Graham are troubling. But with this statement, and the amendment we have offered today, which is identical to the one offered by the House of Representatives, this bill will say once and for all that senior death discounting has to come to an end.

I ask unanimous consent that a list of supporting groups be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DURBIN. To reiterate, this amendment would stop the EPA and other agencies funded in this bill from using a discriminatory method of regulatory analysis known as the senior death discount.

Heart disease, cancer, and strokes are the leading causes of death for people age 65 and older. According to the CDC, air pollution can be devastating to the healthiest Americans, but can be deadly for senior citizens and other vulnerable populations with these diseases. The EPA should be creating regulations that maximize health protections for everyone, especially older Americans.

However, instead of maximizing the benefits for everyone, the regulatory analysis is being manipulated in a way that makes seniors' lives, and the lives of other vulnerable populations, worth less than the lives of other Americans. This practice, commonly known as the senior death discount, devalues the lives of almost 30 million Americans who are over the age of 70.

To give you a sense of how this works, when the EPA develops environmental regulations, it must evaluate the costs and benefits of multiple regulatory alternatives. As part of the calculation of benefits, the EPA places a dollar amount on each life that can be saved by implementing each alternative. The EPA often makes a determination about which regulatory alternative to adopt based on the comparison of the benefits and costs.

Historically, the EPA valued all lives equally by using the same dollar amount for every potential life saved. But now the OMB is encouraging agencies to base the value of a life on the age of a person. In many cases, when discounting was applied, the life of each person over the age of 70 was valued at 37 percent less than the life of a younger person. In other cases, each year people aged, their lives were considered to be worth less—leading to

some lives being worth a de minimus amount. In still other cases, the lives of people with illnesses or other health conditions were further devalued.

The use of the senior death discount has played a significant role in some very important environmental policies. In a rule to cut emissions from heavy diesel equipment, the EPA not only lowered the value of saving the lives of seniors, but also for children and the disabled. In the end, discounting calculations shrank the benefits from over \$81 billion to just over \$12 billion.

In a regulatory proposal to control air pollution from snowmobiles, the benefits were originally calculated to be approximately \$77 billion by 2030. However, the health benefits dropped to only \$8.8 billion—half of this decrease was due to the senior death discount and half was due to selective use of scientific studies limiting the amount of people who were affected. Applying the senior death discount in this instance made certain regulatory alternatives less appealing, and the rule was ultimately weakened as a result.

Some of my colleagues may wonder whether this amendment is still necessary, given that former EPA administrator Christine Todd Whitman said the agency would no longer discount the lives of seniors by 37 percent when calculating the benefits of regulatory policies. However, there is no guarantee that the new administrator or other agencies will follow this policy.

In addition, Whitman's remarks did not apply to other forms of discounting, which continue to be used. These other forms of discounting also reduce the benefits of important regulatory policies. Besides seniors, vulnerable populations, such as children and those with chronic illnesses and disabilities, are affected when these forms of discounting are used.

John Graham, the head of the OMB regulatory office, has backed away from his support of the 37 percent discount rate for seniors. However, as recently as June 16, he is still insisting that the value of saving lives should depend on a person's age, and he is still pushing agencies to use forms of discounting.

It seems that the end goal is to whittle down the benefits, until they are so close to the costs that regulations will be difficult to justify. So unless we take action today, it appears that the lives of vulnerable Americans will continue to be devalued.

The House already passed Congressman ALLEN's amendment to the House VA-HUD bill, which is similar to my amendment. Members from both sides of the aisle spoke in favor of the amendment and it was accepted unanimously. It's now time for the Senate to act.

Twenty-two national organizations, including AARP and a host of environmental and faith-based organizations, support this amendment.

Our Nation's regulatory system must use methods of analysis that produce

regulations that will fairly protect all Americans from the effects of air pollution, toxic waste and other dangerous substances in our environment. We cannot afford to back away from decades of environmental laws that have improved the quality of life for all of us.

EXHIBIT 1

The following organizations support stopping the Senior Death Discount: 20/20 Vision; American Association of Retired Persons; American Baptist Churches USA; American Lung Association; Breakthrough Technologies Institute; Christian Church Disciplines of Christ; Church Women United; Clean Air Task Force; Clear The Air; Coalition on the Environment and Jewish Life (COEJL); League of Conservation Voters; Natural Resources Defense Council; National Environmental Trust; OMB Watch; Physicians for Social Responsibility; Presbyterian Church (USA), Washington Office; Sierra Club; Sisters of Mercy of the Americas, Institute Leadership Team; United Church of Christ Justice and Witness Ministries; United Methodist Church General Board of Church and Society; United States Public Interest Research Group; Unitarian Universalist Association of Congregations.

Mr. DURBIN. I thank the chairman for accepting the amendment. I ask the chairman if at this point we could move the adoption, but I defer to him first.

Mr. BOND. As I indicated, we are ready to accept the amendment by the Senator from Illinois by voice vote.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

● Mr. LIEBERMAN. Mr. President, I support this important amendment, to put a halt to the Bush administration's disrespectful and disturbing treatment of the lives of America's seniors in setting environmental policy. It is unconscionable that the administration continues to push agencies to evaluate pollution-control proposals on the basis of the age of the individuals who are protected. Judging people as less worth protecting based on their age—and to do so for the benefit of polluters—is preposterous and wrong.

Despite statements by administration officials aimed to quiet protest over the "senior death discount" factor—a factor used by the Environmental Protection Agency in recent regulatory cost-benefit analyses that literally devalues the lives of Americans 70 and older—the administration continues to push agencies to apply economic techniques for evaluating pollution-control proposals on the basis of the life expectancies of the individuals protected, slanting the analysis against the elderly who, of course, have fewer years left.

This effort by the administration reinforces the broader bias against the environment inherent in economic cost-benefit analysis, which can give short shrift to unquantifiable values of human health and a strong ecology, while overestimating the economic costs to polluters. By lowering the calculated economic benefit of protecting

the elderly, these techniques will understate the apparent benefits of environmental protection, because the old are among the most vulnerable to respiratory and other diseases caused by pollution. The intended result is to block tougher environmental protections.

Selling out America's grandparents at a discount for the benefit of polluters is discriminatory and wrong. I am pleased to support this amendment to put a halt to this repugnant practice.●

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 2195) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. What is the pending business, Mr. President?

The PRESIDING OFFICER. The pending business is the Clinton amendment.

AMENDMENT NO. 2193

Mr. DAYTON. I ask unanimous consent the amendment be set aside and that I be allowed to offer amendment No. 2193.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. DAYTON] proposes an amendment numbered 2193.

Mr. DAYTON. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To fully fund the Paul and Sheila Wellstone Center for Community Building)

On page 58, line 21, strike "\$1,112,130,000" and insert "\$1,111,030,000".

On page 125, between lines 7 and 8, insert the following:

SEC. 418. There shall be made available \$1,100,000 to the Secretary of Housing and Urban Development for the purposes of making the grant authorized under section 3 of the Paul and Sheila Wellstone Center for Community Building Act.

Mr. DAYTON. Mr. President, this amendment will provide \$1.1 million in funding for the Paul and Sheila Wellstone Center for Community Building at the Neighborhood House in St. Paul, MN. It is funding for the completion of a commitment which Congress made last year as a memorial for the late Senator Paul Wellstone, my colleague and my friend, who lost his life in an airplane crash last October along with his wife Sheila, his daughter Marcia, and three staff members and two pilots.

This is a very emotional subject for me at an emotional time, so I ask my colleagues for their forbearance. We

just passed the first anniversary of that terrible day Paul and Sheila and the others were lost forever. One of Minnesota's greatest Senators and most passionately loved and admired political leaders—not unanimous, but the most widely shared and deeply felt connection that I have ever seen in my lifetime between a political figure and the people of Minnesota.

He lost his life while flying to northern Minnesota for the funeral of the father of a State legislator, up on the Iron Range of Minnesota where a funeral is community. He knew, even though he had other commitments elsewhere, and even though Senator TED KENNEDY had graciously come to Minnesota to the metropolitan area on his behalf before the elections, which were just a few days away—those events were important, but Paul knew the family of the deceased would be helped in their grief by his presence. The community up there would be honored by his presence as a United States Senator, so he left his campaign schedule and the media market to go worship and pray and mourn with those others, friends and family and relatives, fellow citizens, as their U.S. Senator and as their friend.

That is what all of us do all the time in our jobs—Republicans, Democrats, liberals, conservatives, Senators here, Congressmen and Congresswomen, across the country—we drive, and if there is not time we charter small planes into small airports in our States. That day Paul's plane didn't land on the runway. It crashed perpendicular to it 2 miles away into a Minnesota forest and peat bog and caught on fire and burned eight people.

Tomorrow—another reason this is an emotional topic for all of Minnesota—we are told in the news reports today, the National Transportation Safety Board will hold a hearing to pass final judgment on the causes of that crash. Whatever they were, they will not bring Paul and Sheila and Marcia and the others back. The circumstances, as they are reported, are unofficial, so I will not comment on them here, but as they report them in the press, it will make it, if anything, more difficult, more painful, more awful an accident that didn't have to happen.

Paul Wellstone lost his life as a U.S. Senator in service of his country.

As the late Senator John Heinz, Republican from Pennsylvania, lost his life several years ago in a small plane crash in the service of his country; as other Senators, Members of the House, Governors, Cabinet Secretaries, and public officials have lost their lives in airplane crashes or other accidents in the performance of their official duties in the service of their country; and when brave men and women lose their lives in the service of their country, I call that man or woman a true American hero. If they are wearing the service uniform of our Armed Forces in Iraq, Afghanistan, or elsewhere around the world, they are true American he-

roes. If they are wounded or maimed when serving in those awful conditions, they are American heroes.

I have been to funerals for Minnesotans who lost their lives in training exercises in this country and overseas. They gave their lives and paid the ultimate price in the service of their country. They are true American heroes.

Paul Wellstone is a true American hero. He would have been under any circumstances losing his life, but he is even more so, and forever, in my judgment. That is why it is so fitting and appropriate—and I was glad that I thought it only appropriate—that the Senate last year did what I would want to do for any colleague of this body or of the House who lost his or her life under similar—or any—circumstances in the performance of his or her official duties—to find a suitable memorial, a fitting tribute to that American hero.

The surviving members of the Wellstone family—two sons, David and Mark Wellstone—through their own deliberations, identified this project and St. Paul, MN, where especially people from other countries—recent immigrants to the United States—in need of all sorts of assistance but who want to become part of this country, who want to have a chance to participate and raise their kids as American citizens and become the next Paul and Sheila Wellstone, so they can get the help they need and give a helping hand as Paul and Sheila would have given themselves.

We authorized \$10 million. The House didn't have anything in there on that matter. But we went to the President of the United States. He was gracious enough to assist, and we got the funding provided in that bill—the authorization of \$10 million. President Bush invited the Minnesota congressional delegation and members of the Wellstone family to the Oval Office last December for the signing ceremony. He just couldn't have been more extraordinary in his graciousness to the surviving members of Paul and Sheila's families. He took the time and extended his schedule to be with us, to share his condolences and make it a truly memorable occasion for the members of that family. I know they were enormously grateful, as I was to the President for his compassion and for his humanity.

When we got to the appropriations for this fiscal year, it was delayed. The bill that finally came forward provided \$8.9 million for the \$10 million project that was authorized. I am hopeful the balance of that commitment as a memorial to our former colleague will be part of the committee bill that is coming before us today.

I was disappointed there was nothing provided in it, and there is nothing provided in the House bill. I pursued this matter and indicated my intention to offer this amendment for \$1.1 million—that is an "m" for million, not "b" for billion—\$1.1 million to complete the commitment that was made—the authorization to commit the money the

President authorized by his own signature into law. I was told via my staff and in talking with committee staff that if this amendment were agreed to by the Senate, then it would be taken out of some other project for the people of Minnesota—from the people in Roseville, MN, in the northwestern part of the State who were victims of flooding last spring, who need help in relocating, who are still rebuilding and trying to reconfigure the locks and dams in that river so they don't flood again—and from all sorts of other projects around the State in counties that need sewer systems so people can have safe drinking water, so the kids don't get sick.

I have to share with the people of Minnesota a confession. They think when they send us out here, we each have a vote; since we are all taxpayers, and since Minnesotans' taxes are a relatively high income State are proportionate to others that send tax money to this great Federal Government, we get back at least our fair proportionate share. But it doesn't work that way in this legislation. It doesn't work that way. We get the appropriations and those who have more seniority, who have been here longer, have more influence, connections, whatever—it doesn't come out the same. If you were to rank Minnesota with other States, you would find that we give more than our share in contributions to this great center of our Nation and we get in return relatively less than most other States.

I find it deeply offending that I am essentially being told, forewarned, threatened, that if I bring this amendment forward and it passes the Senate, it is going to come out of some other Minnesota project. I appreciate at least being told that so I know what I am getting into here.

So much happens in these conference committees. It is just a sneak attack behind closed doors. In Minnesota, we have an open meeting law where you can't go behind closed doors with three or four members of the elected body and conduct public business in private somewhere. That law is a foreign concept here on Capitol Hill; it happens all the time. People go behind closed doors and members of conference committees can't even get into the conference room to find out what is going on.

They have a bill coming up next for reauthorizing the FAA. Somebody in that conference committee stuck something in the bill that hurts the people of Minnesota—thousands of people in and around airports in my State—no hearings, no deliberation, no vote in the Senate, no vote in the House, just put in by Senators who don't represent the people of Minnesota.

The conference committees are great places where you can put something in there and you can vote on it. I had an amendment to the Medicare bill which is coming up, and it is going to come out of committee, I am told and I am

quite sure. I have an amendment that would require Members of Congress to receive prescription drug coverage that is the same and is no better than seniors of America and other Medicare beneficiaries receive. Boy, it passed the Senate by a vote of 93 to 3. That is pretty overwhelming support.

I thought: My goodness gracious, the Senate is going to back this one because the people of America would back that one. I know from my experience in Minnesota that we sure agree with that concept and principle—that Members of Congress should receive a prescription drug benefit no better than we vote for senior citizens. But then I read an article the next week stating that many of those who voted for it had been told they could do so because it was guaranteed to die in the conference committee and it would not become part of the law.

I respect those three who voted against my amendment because they weren't going to take that escape route and say, Oh, I voted for that amendment, and to my great dismay it is not going to get conference support.

So Members of Congress can continue to get drug coverage twice as good or more or better than those senior citizens of America.

In this case, before this bill goes into the conference committee, I urge my colleagues—and I will ask for the yeas and nays on this amendment—if they don't particularly think enough of the situation, and circumstances, and the memory of Paul Wellstone, then vote against it. I will ask the conferees, if it passes and goes to conference and is going to come out of some other Minnesota project, to drop the amendment because I know what Paul would say. I know what he would want us to do. That would be to do what is best for all the people of Minnesota. This project is true to the people of Minnesota. But the last thing Paul Wellstone would want to do is take \$1.1 million away from people who are suffering and need help and give it to other people in Minnesota in his memory. That would be the antithesis of what is good, for what he believed in, and what he spoke for on this floor. It would be far preferable if the Senate said forthrightly, that is the view of the Members or the powers that be, that \$1.1 million of the \$10 million authorized last year is too much to bear, too much money, and it is just not available in the budget for the people of Minnesota, for the State of Minnesota. Unlike other States, we would not have this discussion on the Senate floor—it would be \$1.1 million for anything any Member wanted.

If they cannot find it, won't find it, do not want to find it, forget it. But tell the American people that. Tell the people of Minnesota that. Don't take it out of somewhere else in Minnesota for a project that is underfunded to begin with, that is needed to save people's lives, that makes their communities stronger. They elected the two Senators to do just as much as any other

State in this Nation. Tell them that straight, and then Paul will wait. He should not have to, but he will.

The Senate should do the right thing, pass this amendment, put it in the bill, and instruct the conferees to come out of the conference report with the money for the Wellstone Community Center and every project in Minnesota, and not sell anybody out behind closed doors, behind our backs, and I will once again respect this body, the Senate of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I know the Senator from Minnesota feels strongly about this; both Senators do.

I ask that Senator COLEMAN be added as a cosponsor.

We are willing to accept the amendment. I ask that it be accepted by voice vote.

Mr. DAYTON. I object. I ask for the yeas and nays.

The PRESIDING OFFICER. Does the Senator object to the adding of a cosponsor?

Mr. DAYTON. The Senator does not object to that.

The PRESIDING OFFICER. Without objection, the Senator is added as a cosponsor.

Mr. DAYTON. I repeat my request for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At this moment, there is not a sufficient second.

Mr. DAYTON. I will restate my request when there is a sufficient second. What number of Members constitute a sufficient number?

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, I ask that the pending Dayton-Coleman amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2152 WITHDRAWN

Mr. BOND. Mr. President, I ask that the Clinton-Enzi amendment on which there is a colloquy be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2152) was withdrawn.

AMENDMENT NO. 2196 TO AMENDMENT NO. 2150

Mr. BOND. Mr. President, I send to the desk an amendment on behalf of Senator DASCHLE relating to an agreement with the Institute of Medicine and the National Academy of Sciences to develop epidemiological studies on Vietnam veterans with respect to Agent Orange, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for Mr. DASCHLE, proposes an amendment numbered 2196 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for epidemiological studies on Vietnam veterans exposed to Agent Orange and other herbicides used in Vietnam)

At the end of title I, add the following:

SEC. 116. Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the Institute of Medicine of the National Academy of Sciences under which agreement the Institute of Medicine shall develop and evaluate epidemiological studies on Vietnam veterans in accordance with the recommendations of the 2003 National Academy of Sciences report entitled "Characterizing Exposure of Veterans to Agent Orange and Other Herbicides Used in Vietnam: Interim Findings and Recommendations".

Mr. BOND. There are no objections on either side. I ask that it be agreed to by voice vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 2196) was agreed to.

Mr. BOND. I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2197 TO AMENDMENT NO. 2150

Mr. BOND. I send an amendment to the desk on behalf of Senator FEINGOLD.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND, for Mr. FEINGOLD, proposes an amendment numbered 2197 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds by the Department of Veterans Affairs to implement policies that prohibit the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans in such Networks)

At the end of title I, insert the following:

SEC. 116. No funds appropriated or otherwise made available for the Department of Veterans Affairs by this Act or any other Act may be obligated or expended to implement the policy contained in the memorandum of the Department of Veterans Affairs dated July 18, 2002, from the Deputy Under Secretary for Health for Operations and Management with the subject "Status of VHA Enrollment and Associated Issues" or any other policy prohibiting the Directors of

the Veterans Integrated Service Networks (VISNs) from conducting outreach or marketing to enroll new veterans within their Networks.

Mr. FEINGOLD. Mr. President, I want to thank the chairman and the ranking member of the subcommittee for agreeing to accept my amendment pertaining to veterans outreach programs. My amendment would restore a valuable—and statutorily mandated—service to our nation's veterans and their families.

In July 2002, the Department of Veterans Affairs Deputy Under Secretary for Health for Operations and Management sent a memo to Veterans Integrated Service Network Directors ordering them to "ensure that no marketing activities to enroll new veterans occur within [their] networks."

This memo cited an increased demand for VA health care services as the reason for this change in policy. While it is clear that more funding should be provided for VA health care and other programs and I strongly support doing so it is inappropriate for the VA to institute a policy to stop making veterans aware of the health care services for which they may be eligible.

I joined with a number of our colleagues last year in sending a letter to the President asking that this policy be immediately reversed. I regret that the VA's reply indicated that the Secretary of Veterans Affairs stands by this policy, which remains in effect.

My amendment would prohibit the VA from using Federal funds to enforce this policy, or any other policy prohibiting regional health care directors from conducting outreach to enroll new veterans into the VA health care system. A similar amendment offered earlier this year by Congressmen SANDERS and KANJORSKI was accepted to the House version of the underlying VA-HUD appropriations bill.

I have long been concerned that tens of thousands of our veterans are unaware of Federal health care and other benefits for which they may be eligible. We can and should do more to educate our veterans and their families about these benefits, and to provide adequate funding to ensure that all veterans who wish to take advantage of their benefits are able to do so. Halting health care marketing activities is not the answer. Our brave veterans have earned these benefits. The Federal department that is charged with advocating for and providing benefits to our veterans should not be allowed to continue to restrict health care outreach activities.

This is especially important as we welcome home a new generation of veterans who are serving in Iraq and in the fight against terrorism. Today's soldiers, sailors, airmen, and marines are tomorrow's veterans. These men and women selflessly put their lives on the line to protect our freedoms, as have countless military personnel before them. We must ensure that their service and sacrifice, which is much lauded during times of conflict, is not

forgotten once the battles have ended and our troops have come home.

Our veterans and their families have made great personal sacrifices to protect our freedoms. We owe them a great debt of gratitude. Making sure that our veterans know about the benefits that they have earned is an important first step in starting to repay this debt.

Again, I thank the chairman and the ranking member of the subcommittee for working with me on this important issue.

Mr. BOND. Mr. President, this is an amendment with respect to VA marketing. It is acceptable on both sides. I ask that be it be agreed to on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2197) was agreed to.

Mr. BOND. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2198 TO AMENDMENT NO. 2150

Mr. BOND. Mr. President, because we had done a list of amendments and we neglected to include an amendment by Senators CANTWELL, CARPER, BROWNBACK, HAGEL, and others with respect to section 8 public housing, moving to work demonstration agreements, I ask unanimous consent that this be acceptable and I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for Ms. CANTWELL, for herself, Mr. CARPER, Mr. BROWNBACK, Mr. HAGEL, Mr. ROBERTS, Mr. NELSON of Nebraska, Mrs. MURRAY, and Mr. DEWINE, proposes an amendment numbered 2198 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a study of the Moving to Work demonstration program, and for other purposes)

On page 125, between lines 7 and 8, insert the following:

SEC. 418. EXTENSION OF CERTAIN PUBLIC HOUSING/SECTION 8 MOVING TO WORK DEMONSTRATION AGREEMENTS.

(a) EXTENSION.—The Secretary of Housing and Urban Development shall extend the term of the Moving to Work Demonstration Agreement entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104-134, April 26, 1996) if—

(1) the public housing agency requests such extension in writing;

(2) the public housing agency is not at the time of such request for extension in default under its Moving to Work Demonstration Agreement; and

(3) the Moving to Work Demonstration Agreement to be extended would otherwise expire on or before December 31, 2004.

(b) **TERMS.**—Unless the Secretary of Housing and Urban Development and the public housing agency otherwise agree, the extension under subsection (a) shall be upon the identical terms and conditions set forth in the extending agency's existing Moving to Work Demonstration Agreement, except that for each public housing agency that has been or will be granted an extension to its original Moving to Work agreement, the Secretary shall require that data be collected so that the effect of Moving to Work policy changes on residents can be measured.

(c) **EXTENSION PERIOD.**—The extension under subsection (a) shall be for such period as is requested by the public housing agency, not to exceed 3 years from the date of expiration of the extending agency's existing Moving to Work Demonstration Agreement.

(d) **BREACH OF AGREEMENT.**—Nothing contained in this section shall limit the authority of the Secretary of Housing and Urban Development to terminate any Moving to Work Demonstration Agreement of a public housing agency if the public housing agency is in breach of the provisions of such agreement.

SEC. 419. STUDY OF MOVING TO WORK PROGRAM.

(a) **IN GENERAL.**—The General Accounting Office shall conduct a study of the Moving to Work demonstration program to evaluate—

(1) whether the statutory goals of the Moving to Work demonstration program are being met;

(2) the effects policy changes related to the Moving to Work demonstration program have had on residents; and

(3) whether public housing agencies participating in the Moving to Work program are meeting the requirements of the Moving to Work demonstration program under law and any agreements with the Department of Housing and Urban Development.

(b) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the General Accounting Office shall submit to Congress a report on the study conducted under subsection (a).

Mr. BOND. Mr. President, this is acceptable on our side.

Mr. REID. There is no objection on this side.

Mr. BOND. I suggest we agree to it by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2198) was agreed to.

Mr. BOND. I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I ask unanimous consent that we delay the FAA bill for 5 minutes and the debate would be from 4:35 to 5:35 and a vote occur at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL AWARD PROGRAM

Mr. CRAIG. Mr. President, several Senators were prepared to offer an amendment today to provide for support for the Congressional Award Program, through a collaboration with the Corporation for National and Community Service. I understand from the

Subcommittee the difficulties that this would present and will not press forward with such an amendment at this time. I did want to engage the Chairman of the VA-HUD-Independent Agencies Subcommittee in a colloquy about this valuable program.

Congress established the highly successful Congressional Award in 1979 to recognize initiative, achievement, and service in young people. The Congressional Award is the U.S. Congress' award for young Americans. It is non-partisan, voluntary, and noncompetitive. The award enjoys broad bipartisan support. This excellent program has grown by more than 3,000 participants during fiscal year 2003, and currently, there are some 14,750 active participants from across the nation.

In the past, the Congressional Award Program has been able to sustain itself. Because of the tremendous growth of this program, its resources have been stretched to the breaking point. After the events of 9/11 and the recent recession, patterns of charitable giving have changed and this program, like many worthy causes, has had an extremely difficult time maintaining earlier levels of contributions, much less accommodating its rapid growth. The congressional award needs a modest amount in a funding base to regain its footing and momentum and continue its growth for the future. Congressional support is needed to leverage renewed and increased private donations.

Supporters of this program had looked to this bill because the Congressional Award Program already is being cited by the Corporation for National and Community service as the kind of program it supports and encourages and already is listed as an official partner of America's Promise, another related program. Congress already has explicitly provided in the Congressional Award Act that, while this program may not receive a direct appropriation, it may receive financial support through collaborations with other programs receiving appropriated funds.

I note that the Appropriations Committee, in the report accompanying this bill, has expressed its concern with current costs per participant in volunteer service programs. In particular, the report mentioned the \$16,000 cost per AmeriCorps members for program and education award costs and called upon the Corporation to reduce costs. In contrast, the Congressional Award Program costs only about \$68 per participant. It is more than just a great program, it is a bargain.

The Congressional Award is one of only two standing awards given by Congress. The other is the Congressional Medal of Honor. It is time that Congress became a partner of the congressional award in more than just name.

Mr. BAUCUS. I add my comments in support of the Congressional Award Program. This excellent program is open to all 14- to 23-year-olds. Partici-

pants earn bronze, silver, and gold congressional award certificates and bronze, silver, and gold congressional award medals. Each level involves setting goals in four program areas: volunteer/public service, personal development, physical fitness, and expedition/exploration. Earning the award is a fun and interesting way to get more involved in something young men and women already enjoy or something they might like to try for the first time.

Regardless of an individual's situation, he or she can earn this award. The congressional award has no minimum grade point average requirements. It accommodates young people with special needs or disabilities who are willing to take the challenge. The award is open to all. We consider this to be a valuable priority within a fiscally responsible appropriations bill.

Mr. President, this is a program that all of us want to see grow and flourish. It is not just another program. It is not just another foundation pursuing a worthy cause. It is our award—a unique program created by the Congress to recognize and encourage leadership and voluntary service to the community by our young people. It requires and deserves our support.

Mr. BOND. I thank my colleagues for their attention to this matter.

It is certainly our intent, in continuing congressional support for the corporation, that it look for additional ways for actively partnering and collaborating with organizations such as the Congressional Award Program. I look forward to working with my colleagues on appropriate ways to carry that goal forward.

CAPITAL ASSET REALIGNMENT FOR ENHANCED SERVICES (CARES) INITIATIVE

Mrs. CLINTON. Mr. President, I thank the managers for working with Senator ENZI, Senator SCHUMER and myself on a compromise to ensure that our concerns are addressed. We understand that they have committed to pursue language in the conference report that expresses the committee's concerns about the Draft National CARES Plan recommendations of closure and reduction of services in long-term care, domiciliary care, and mental health services at VA facilities. The language urges that no closures or reduction in long-term care, domiciliary care, and mental health care services take place until the full analysis is completed. The language would also require the VA to submit updates on their progress in this analysis to the appropriate committees. Finally, the managers have agreed to send a letter to VA Secretary Principi outlining these concerns on our behalf.

Mr. ENZI. I would like to add to my colleague's discussion. I got involved in this process to bring attention to the concerns of veterans in rural and frontier areas. Based on these concerns, I hope in any further analysis on the future needs of veterans health care the

VA will consider all access issues related to travel, such as road conditions, the number of lanes on roads, and seasonal changes and other factors relating to the weather. I know many of my colleagues share these concerns and I appreciate their taking this opportunity to address them.

Mr. SCHUMER. I thank my friends from Missouri and Maryland for engaging us in this colloquy, and appreciate their efforts to work with us on addressing our concerns with the CARES process. Among these concerns, I am particularly pleased that the managers of this bill have agreed to work with us in addressing the participation of veterans at hearings held by the CARES Commission. The participation of veterans is critical to a process that so directly impacts the quality of healthcare they receive from the VA. It is my understanding that the managers have committed to addressing this specific issue by presenting language to the conference that would recognize the benefits of and the need to have CARES related hearings within 30 miles of all facilities facing closure or a reduction in services, as well as the importance of veteran participation at these hearings. I also understand that the managers have committed to presenting language to the conference that encourages the VA to hold additional hearings in all affected communities following the Secretary's final recommendation.

Mr. BOND. Mr. President I thank the Senators from New York and the Senator from Wyoming for their thoughtful comments. Their understanding is correct, and we will pursue such language in the conference report. Senator MIKULSKI and I will also be sending a letter on their behalf to Secretary Principi with these concerns.

Ms. MIKULSKI. I acknowledge the validity of my colleagues' concerns and look forward to working with them to try to address these concerns in conference and with Secretary Principi.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, I think we have reached the point where we are ready to get a final list and a means of proceeding. So if it is agreeable on both sides, I ask unanimous consent that the only other amendments in order to the VA-HUD bill, other than the substitute, be the following: Dayton No. 2193 with 5 minutes equally divided; Senator MCCAIN, amendment on NASA; Senator INHOFE, amendment on air quality; Senator JEFFORDS, National Academy of Sciences study; further that following the scheduled cloture votes on Tuesday, the Senate resume

consideration of the VA-HUD appropriations bill for the consideration of the remaining amendments.

Ms. MIKULSKI. No objection.

Mr. REID. Mr. President, I ask unanimous consent that the time for debate on cloture dealing with FAA be for a full 1 hour, with the time equally divided pursuant to the previous order.

The PRESIDING OFFICER. Is there objection to any of the foregoing requests?

Mr. REID. I express my appreciation to Senator LAUTENBERG and Senator LOTT for allowing us to go forward.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISION 100—CENTURY OF AVIATION REAUTHORIZATION ACT—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. Under the previous order, the hour of 4:40 having arrived, the Senate will proceed to consideration of the conference report to accompany H.R. 2115, which the clerk will report.

The assistant legislative clerk read as follows:

Conference report to accompany H.R. 2115, an act to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour equally divided for debate prior to a vote. The Senator from Mississippi will control one-half hour, the Senator from New Jersey will control one-half hour.

The Senator from Mississippi.

Mr. LOTT. Mr. President, this is an important piece of legislation that has been in the process all year now. As we know, the aviation industry has had its difficulties since the events of 9/11 and the Iraq war. Aviation across the board has struggled to comply with additional security requirements and to become economically viable again. A lot of changes are happening in the industry.

But Congress certainly has not been insensitive to the needs of this industry. We passed legislation to be of assistance in, I guess, 6 weeks after the 9/11 events, and then earlier this year additional assistance was provided to the airline industry as a result of losses they were experiencing and expected to experience as a result of the war in Iraq.

But they need the broader long-term Federal Aviation Administration reauthorization. I consider this legislation to be the third leg of the stool to give the aviation industry, as a whole, an opportunity to get up and running, to provide service to the American people, and to, frankly, see blue skies again. That is why this legislation is very important.

If we do not extend this FAA reauthorization, there are certain parts of the program that will either be deferred or will have to shut down. So it

is not insignificant that we are up against the wall in terms of extending the Federal Aviation Administration legislation.

I emphasize, too, that this is not just about the agency. This is about an important part of our economy. We are very mobile in America. Transportation is such an important part of our economy. Americans are flying all over the country, as we speak, on airlines and in general aviation. They are in our airports. It is an important part of our economy. It creates hundreds of thousands of jobs, when it is allowed to function as it should. So we need to get this legislation passed.

It is, in my opinion, about safety in the aviation industry at our airports, in general aviation, with the airlines. We need to make sure the money is there for the aviation program, for the security that needs to be put in place on the airplanes, in the airports, on the perimeters. This is very important legislation. It is part of our overall homeland security program.

I remind my colleagues that H.R. 2115, the FAA reauthorization bill, is a 4-year \$60 billion bill. This is a huge piece of legislation. We need to get it done.

I would like to point out to my colleagues some of the impacts we see as a result of this industry and what it means. First, aviation generates more than \$900 billion in GDP every year. Over the life of this bill, the legislation is expected to create approximately 665,000 jobs; \$14.2 billion in airport grant funding would create these 665,000 jobs. There would be 162,000 jobs in 2004 alone; \$14.2 billion will be used for security, safety, and capacity projects at airports; \$13.3 billion would be to modernize the air traffic control system, and \$500 million for the Essential Air Service program.

This is an important piece of legislation. A lot of money is involved. It is not just about the big airports; this is about the smaller airports. We do have good programs included here, including the Essential Air Service, and also a program that allows communities to be involved and participate with some funding of their own.

We have had an experimental program in place now for the last couple years. This would extend that small community Essential Air Service program. A number of communities around the country are very much interested in having that opportunity.

It also provides new opportunities for flights out of Reagan National Airport, 8 new flights inside and 12 new flights outside the perimeter. So this is very important legislation in terms of the airports.

For the first time we actually make sure the regional airlines get some assistance. When we passed the big legislation back in 2001, the regional airlines were sort of left out. So we would get that done.

It provides for cost-effective programs that could save the taxpayers